

MINUTE ENTRY

May 10, 2004

**JUDGE DONALD E. WALTER
EASTERN DISTRICT OF NEW YORK
BROOKLYN DIVISION**

ROCKY WILLIAMS

CIVIL ACTION NO. 01-4146 *CNg*

VERSUS

JUDGE DONALD E. WALTER

CITY OF NEW YORK, ET AL

The Court held a telephone pretrial conference on May 7, 2004, in the above-captioned matter. Michael Lumar participated on behalf of plaintiff; and Richard Julie participated on behalf of defendant. Jason Nichols is the law clerk assigned to this matter and any further questions relating to this trial should be directed to him. He can be contacted by telephone at (318) 676-3175.

Jury trial is set for **Tuesday, June 1, 2004, at 9:00 a.m.** and is expected to last 3 to 4 days. This case is second on the docket that week. Counsel may contact Mr. Nichols the week before trial to ascertain the status of this trial on this Court's docket. Counsel are to notify this Court within 10 days of this telephone conference whether they wish to bifurcate this trial. Counsel may contact Mary Gonzalez at (718) 260-2308 for information relating to Judge Walter's chambers. Counsel will inform the Court immediately if settlement is reached.

Counsel shall submit joint stipulated jury instructions and interrogatories to the Court one week prior to trial. Objections to instructions shall be footnoted and accompanied by *pinpoint citations*. This information shall be provided to the Court at 300 Fannin Street, Suite 4200, Shreveport, Louisiana 71101, on a 3.5" disk in WordPerfect format or Rich Text format.

If counsel intend to use deposition testimony at trial, it shall be edited. Further, the proponent shall submit to opposing counsel two weeks prior to trial that portion of the deposition the proponent

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intends to introduce. Opposing counsel then has one week within which to determine that portion of the deposition he intends to offer. If counsel have any objections to the portions intended to be introduced, counsel are to contact Mr. Nichols so the Court can make its rulings on objections prior to trial. Counsel shall provide a "read along" copy of the edited deposition testimony for each juror. Counsel shall also provide a "read along" copy of the deposition to the Court. The proponent shall read the deposition testimony from the witness stand.

Counsel shall have 15 minutes for opening statements.

In making objections at trial, counsel shall rise, be recognized and state his or her grounds for the objection. Counsel shall withhold all further comment or argument unless elaboration is requested by the Court.

Counsel should arrive in the courtroom 15 minutes prior to trial, on each day of trial.

DEW